

Convergent Communications, Inc.

Convergent Communications, Inc. Kentucky P.S.C. Tariff No. 1
13330 S. Memorial, Suite 6 Original Title Page
Bixby, OK 74008

Resale Telecommunication Services

Tariff

for

Convergent Communications, Inc.

within the Commonwealth of Kentucky

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

OCT 3 1993

PURSUANT TO 807 KAR 5:011.
SECTION 9 (1)

BY: Glenn Heller
PUBLIC SERVICE COMMISSION MANAGER

Issue Date: _____ Issued By: _____ Effective Date: _____
Mark A. Agee
President
Convergent Communications, Inc.
13330 S. Memorial, Suite 6
Bixby, OK 74008

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BY: *[Signature]*
PUBLIC SERVICE COMMISSION MANAGER

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II. Check Sheet.

All pages listed are effective as of the date shown on the page.

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BY: *Charles H. Miller*
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III. Explanation of Symbols

The following symbols are used in this tariff for the purpose indicated below:

- (C) To signify changed listing, rule, or condition which may affect rates or charges
- (D) To signify discontinued material, including listing, rate, rule or condition
- (I) To signify increase in rates
- (M) To signify material relocated from or to another part of tariff schedules with no change in text, rate, rule or condition
- (N) To signify new material including listing, rate, rule or condition
- (R) To signify reduction in rates
- (T) To signify change in wording of text but not change in rate, rule or condition.
- (S) To signify reissued material
- (Z) To signify a correction

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IV. Description of Services.

CCI offers two types of telecommunication services, Calling Card Service and Dial One Service.

- a. Calling Card Service - Customers are issued one or more calling cards which allow them to place long distance calls from any touch tone phone and have the charges for the call billed to their account with CCI.
- b. Dial One Service - Customers may subscribe to CCI's Dial One Service to make long distance calls from their business and/or residence premises and have the charges billed to their account with CCI.
- c. Affinity Groups - Both the Calling Card Service and the Dial One Service may be offered through sponsoring "affinity groups" such as university alumni associations. In the event the customer subscribes to either or both of CCI's services through a sponsoring affinity group, the customer may elect to donate part or all of any discount earned from the use of the services to such affinity group.
- d. Phone Club - Both the Calling Card Service and Dial One Service may be offered through a sponsoring CCI Phone Club member, and any discount earned by the customer will be credited to the account or paid to the sponsoring Phone Club member.

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V. Service Area

CCI's service will be available throughout the Commonwealth of Kentucky.

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VI. Rate Schedules

1. Mileage Determination.

A charge per call will apply for each call connected based upon the airline mileage of the call between the originating city and the terminating city as determined by the V and H Coordinates described in the AT&T FCC Tariff No. 10.

2. Maximum Rates.

The rates set forth below are filed under a flexible pricing plan and will not exceed the maximum rates set forth below. Actual present rates are set forth in Attachment A to this tariff.

<u>Band</u>	<u>Miles</u>	<u>Initial Minute</u>	<u>Each Add'l</u>
1	10	\$.2700	\$.2100
2	16	.2700	.2100
3	22	.2700	.2400
4	30	.2300	.2400
5	55	.3000	.3000
6	85	.3400	.3300
7	124	.3500	.3500
8	196	.3500	.3500
9	292	.4000	.4000
10	9999	.4000	.4000

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VI. Rate Schedules

3. Evening Rates

The following rates are in effect for calls made during the evening rate period (5:00 p.m. to 11:00 p.m. every day except Saturday).

<u>Band</u>	<u>Miles</u>	<u>Initial Minute</u>	<u>Each Add'l</u>
1	10	\$.2100	\$.1600
2	16	.2100	.1600
3	22	.2100	.1900
4	30	.2100	.1900
5	55	.2400	.2400
6	85	.2600	.2600
7	124	.2700	.2800
8	196	.2800	.2800
9	292	.3100	.3200
10	9999	.3100	.3200

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VI. Rate Schedules

4. Night Rates

The following rates are in effect for calls made during the night rate period (11:00 p.m. to 8:00 a.m. every day and all day on Saturday).

<u>Band</u>	<u>Miles</u>	<u>Initial Minute</u>	<u>Each Add'l</u>
1	10	\$.1800	\$.1400
2	16	.1800	.1400
3	22	.1800	.1600
4	30	.1800	.1600
5	55	.1900	.1900
6	85	.2200	.2100
7	124	.2200	.2200
8	196	.2300	.2300
9	292	.2500	.2500
10	9999	.2500	.2500

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BY: Sharon Keller
PUBLIC SERVICE COMMISSION MANAGER

5. Other Charges.

- a. Calling Card Surcharge. A maximum surcharge of \$1.50 per call will be added to each calling card call.
- b. Operator Assisted Surcharge. A maximum surcharge of \$2.50 per call will be added to each call when the customer requests operator assistance in placing a calling card call or a collect call.

6. Other Discounts.

Customers may be eligible to receive up to a 15% discount off their total monthly charges for Calling Card and Dial One services. This discount will be credited against the customer's monthly charges or, at the customer's option, the discount amount, or some part of the discount amount, will be donated to the customer's sponsoring affinity group. In the event the customer obtains services through CCI's Phone Club program, any discount earned will be credited or paid to the customer's sponsoring Phone Club member.

7. Recognized Holidays.

Evening rates apply to all calls placed on a recognized holiday except when a lower rate would normally apply.

8. Taxes.

Customer shall be responsible for payment of all applicable federal, state and local taxes.

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VII. Rules and Regulations

1. Definitions. For purposes of this Tariff, the following definitions shall apply:

- a. Application for Services - A standard or customized form which includes all pertinent billing, technical and other descriptive information which will enable CCI to provide the requested service.
- b. Calling Card - A valid travel card issued by CCI to a customer which enables them to bill long distance telephone calls to their CCI account.
- c. CCI - Convergent Communications, Inc., an Oklahoma corporation, doing business as "Alumni Network."
- d. Customer - the subscriber of CCI's telecommunication services who properly completes an application for service and is accepted by CCI as a customer.
- e. Tariff - the rates, charges, rules and regulations adopted and filed by CCI and approved by the Kentucky Public Service Commission.

2. Limitations of Service.

- a. Service is offered subject to the availability of the necessary facilities and subject to the terms and conditions of this tariff.
- b. CCI reserves the right to discontinue furnishing service upon written notice when necessitated by conditions beyond its control or when the customer is using the service in violation of the provisions of this tariff, or for nonpayment of service.
- c. Service may not be used for any unlawful purpose.

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VII. Rules and Regulations (Con't)

3. Payment and Billing.

- a. Service is provided and billed in arrears on a monthly (30 day) basis.
- b. Bills are payable and due upon receipt. Interest at a rate of 1 percent per month will be charged on any amount unpaid after twenty-five (25) days from rendition of billing.
Interest on unpaid amounts may be charged only one time for any bill. Additional penalty charges may not be assessed on unpaid penalty charges in accordance with 807 KAR 5:006, section 8(h).
- c. The security of the customer's authorization codes is the responsibility of the customer. All calls placed will be billed and must be paid by the customer.
- d. CCI reserves the right to examine the credit record of an applicant or customer. A customer whose service has been discontinued for nonpayment of bills will be required to pay any unpaid balance due to CCI before service is restored.
- e. The name(s) of the customer(s) desiring to use the service must be set forth in the application for service.
- f. If notice of a dispute as to charges is not received in writing by CCI within thirty (30) days after a bill has been rendered, the billing will be considered correct and binding.

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VII. Rules and Regulations (Con't)

- g. In the event of a billing dispute between the customer and CCI for service furnished to the customer which cannot be settled to mutual satisfaction, the customer can take the following action:
1. Initially the customer may request, and CCI will comply with the request, a detailed review of the disputed amount. The undisputed amount and any subsequent billing must be paid on a timely basis as prescribed in this tariff.
 2. If after investigation by a manager of CCI, there is still a disagreement about the disputed amount the customer may appeal to the State of Kentucky Public Service Commission for their investigation and decision.

4. Minimum Service Period.

The minimum period for service is one (1) month.

5. Cancellation of Service by Customers.

- a. The customer may cancel service by giving notice to CCI up to the day cancellation is requested.
- b. If the customer orders service which requires special construction or special facilities dedicated to the customer's use and then cancels his order before service begins, a charge will be made to the customer for the non-recoverable portions of the expenditures or liabilities incurred expressly on behalf of the customer by CCI.

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VII. Rules and Regulations (Con't)

6. Cancellation of Service by CCI. Without incurring liability, CCI may immediately discontinue service or cancel an application for service by written notice to the customer:

- a. For nonpayment of any sum due to CCI for more than thirty (30) days after CCI issues the bill for the amount due, and CCI has tried diligently to induce the customer to pay the same and after at least five (5) calendar days' written notice of discontinuance of service to the customer;
- b. For violation of any of the provisions governing the furnishing of service under this tariff;
- c. For any violation of any law, rule, regulation or policy of any government authority having jurisdiction over service; or
- d. By reason of any order or decision of a court or other government authority having jurisdiction which prohibits CCI from furnishing service.

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VII. Rules and Regulations (Con't)

7. Liability.

- a. CCI shall not be liable for claim or loss, expense or damage (including indirect, special consequential damage), for any interruption, delay, error, omission, or defect in any service, facility or transmission provided under this tariff, if caused by any person or entity other than CCI, by any malfunction of any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond CCI's direct control.
- b. CCI shall not be liable for and the customer shall indemnify and hold CCI harmless from any and all loss, claims, demands, suits, or other action, or any liability whatsoever, whether suffered, made, instituted, or asserted by the customer or by any other party or persons, for any personal injury to, or death of, any person or persons, and for any loss, damage, defacement or destruction of the premises of the customer or any other property, whether owned by the customer or others, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, removal, presence, condition, location or use which is not the direct result of CCI's negligence.

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VII. Rules and Regulations (Con't)

8. Terminal Equipment.

Terminal equipment used in conjunction with this service shall comply with the generally accepted minimum protection criteria standards of the telecommunications industry as endorsed by the Federal Communications Commission, and shall not interfere with the service furnished to other customers.

9. Use of Service.

- a. Service may be used for the transmission of communications by the customer and the customer's authorized user(s).
- b. The customer may not use or permit others to use any of the services or facilities furnished by CCI under this tariff for any unlawful purpose.

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ATTACHMENT A - Current Rates

Day Rates.

The following rates are in effect for calls made during the day rate period (8:00 a.m. to 5:00 p.m. Monday through Friday).

<u>Band</u>	<u>Miles</u>	<u>Initial Minute</u>	<u>Each Add'l</u>
1	10	\$.2350	\$.1800
2	16	.2350	.1800
3	22	.2400	.2100
4	30	.2400	.2100
5	40	.2800	.2700
6	55	.2800	.2700
7	70	.3100	.3000
8	85	.3100	.3000
9	100	.3200	.3000
10	124	.3200	.3000
11	148	.3500	.3400
12	196	.3500	.3400
13	244	.3700	.3600
14	292	.3700	.3600
15	354	.3700	.3600
16	9999	.3700	.3600

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ATTACHMENT A - Current Rates - Cont'd.

Evening Rates.

The following rates are in effect for calls made during the evening rate period (5:00 p.m. to 11:00 p.m. every day except Saturday).

<u>Band</u>	<u>Miles</u>	<u>Initial Minute</u>	<u>Each Add'l</u>
1	10	\$.1950	\$.1425
2	16	.1950	.1425
3	22	.1950	.1600
4	30	.1950	.1600
5	40	.2072	.1998
6	55	.2072	.1998
7	70	.2294	.2220
8	85	.2294	.2220
9	100	.2368	.2220
10	124	.2368	.2220
11	148	.2590	.2516
12	196	.2590	.2516
13	244	.2700	.2625
14	292	.2700	.2625
15	354	.2886	.2812
16	9999	.2886	.2812

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ATTACHMENT A - Current Rates - Cont'd.

Night Rates.

The following rates are in effect for calls made during the night rate period (11:00 p.m. to 8:00 a.m. every day and all day on Saturday).

<u>Band</u>	<u>Miles</u>	<u>Initial Minute</u>	<u>Each Add'l</u>
1	10	\$.1534	\$.1121
2	16	.1534	.1121
3	22	.1534	.1343
4	30	.1534	.1343
5	40	.1738	.1679
6	55	.1738	.1679
7	70	.1738	.1725
8	85	.1738	.1725
9	100	.1962	.1800
10	124	.1962	.1800
11	148	.2074	.2015
12	196	.2074	.2015
13	244	.2140	.2140
14	292	.2140	.2140
15	354	.2220	.2220
16	9999	.2220	.2220

Calling Card Surcharge: \$.80

Operator Assisted Surcharge: \$1.75

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